

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

RICARDO MONTOKA-OLACHIA,  
Institutional ID No. 88364-279,

Plaintiff,

V.

H. BRYAN, Associate Warden,  
Dalby Facility, *et al.*,

Defendant(s).

CIVIL ACTION NO.  
5:13-CV-263-C  
ECF

**ORDER**

The United States Magistrate Judge entered a Report and Recommendation on June 19, 2014, recommending that the District Court grant Plaintiff's letter motion to dismiss filed June 17, 2014, and dismiss Plaintiff's complaint.

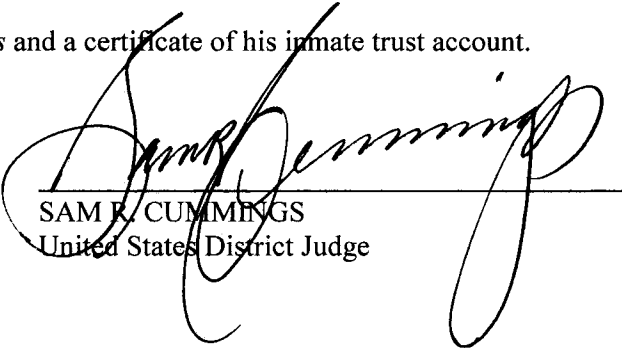
The Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge.

It is, therefore, ORDERED:

- (1) Plaintiff's letter motion to dismiss filed June 17, 2014 is GRANTED.
- (2) Plaintiff's complaint and all claims alleged therein are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).
- (3) Any pending motions are denied.

Plaintiff is admonished that if he re-files his civil rights complaint, he must either pay the full filing fee or file an application to proceed *in forma pauperis* and a certificate of his inmate trust account.

Dated July 23, 2014.

  
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SAM R. CUMMINGS  
United States District Judge